

## **REMARKS**

The Restriction Requirement dated December 4, 2007, required restriction among the following groups of claims:

- Group I (claims 1-26 and 28) directed to an aqueous herbicidal liquid concentrate comprising glyphosate or a herbicidal derivative thereof, a pyridine analog selected from triclopyr, clopyralid (sic), and at least one surfactant classified in class 546, subclass 185;
- Group II (claims 27, 28, 59 and 62) directed to an aqueous herbicidal liquid concentrate comprising potassium glyphosate, monoethanolamine glyphosate or a mixture thereof, a pyridine analog selected from triclopyr, clopyralid, dithiopyr and picloram, and at least one surfactant classified in class 534, subclass 766+;
- Group III (claims 29-53, 59 and 62) directed to an aqueous herbicidal composition comprising glyphosate or a herbicidal derivative thereof, a pyridine analog selected from the group consisting of triclopyr, clopyralid (sic) and at least one surfactant classified in class 540, subclass 224;
- Group IV (claims 54-58, 61 and 62) directed to a herbicidal particulate concentrate, classified in class 544, subclass 124, 360;
- Group V (claims 59 and 62) directed to a method for killing or controlling plants with the composition of any one of claims 28, 33, 37, 38, 39, 42 and 46;
- Group VI (claims 60 and 62) directed to a method for killing or controlling plants with the composition of any one of claims 1, 6, 11, 16, 21, 22, 27 or 52, classified in class 504, subclass 250+; and
- Group VII (claims 61 and 62) directed to a method for killing or controlling plants with the solid composition of claim 54 or 55, classified in class 504, subclass 250+.

Applicants hereby elect the claims of Group III (claims 29-53, 59 and 62) without prejudice.

The Office has further required the election of the concentration of glyphosate in Group III claim 46. Applicants wish to thank Examiner Brown for the telephonic interview dated February 21, 2008, confirming that the only species election required by

the Office is for the glyphosate concentration of claim 46. Applicants elect a glyphosate concentration of less than 180 grams acid equivalent per liter. Claims 29-53, 59 and 62 read on the elected glyphosate concentration species.

Applicants hereby reserve the right to file one or more divisional applications directed to any of the non-elected claims during the pendency of this application.

In view of the foregoing, Applicants respectfully request substantive examination of claims 29-53, 59 and 62.

The fee for a two month extension of time is being submitted herewith. The Commissioner is hereby authorized to charge any underpayment and credit any overpayment of government fees to Deposit Account No. 19-1345.

Respectfully submitted,



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